

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bernarding *et al.*

Art Unit: to be assigned

Serial No.: to be assigned

Examiner: to be assigned

Filing Date: to be assigned

Atty. Dock.: 2003P10269WOUS

For: *Additional control valve device for an inlet channel of a reciprocating internal  
combusting engine*

**INFORMATION DISCLOSURE STATEMENT**

United States Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia  
22314 USA

Sir:

Listed on accompanying form PTO/SB/08A are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. §120 priority documents.

- This information disclosure statement is before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the fee set forth in § 1.17(p); and


- The document(s) was/were cited in a corresponding foreign application, international search report, and/or within the US filed application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed form and to indicate in the official file of this patent application that the documents have been considered.

In the event the transmittal form is separated from this filing, Applicants hereby authorize the Patent and Trademark Office to charge the fee pursuant to 37 CFR §1.17(p) of \$180.00 to the deposit account and under the reference number identified below. Additionally, in the event that the Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No.: 502464** referencing docket no.: **2003P10269WOUS**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Date: 01/05/2006  
 Siemens Schweiz  
 Intellectual Property  
 IP, I-44  
 Albisriederstrasse 245  
 CH-8047 Zürich, Switzerland  
 Tel: +41 (0) 585 583 295  
 Fax: +41 (0) 585 583 228

  
 Jacob Eisenberg  
 Attorney for Applicant  
 Registration No. 43,410  
 Customer No.: 28204

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

**Complete If Known**

|                        |                  |
|------------------------|------------------|
| Application Number     | To be assigned   |
| Filing Date            | To be assigned   |
| First Named Inventor   | Eugen Bernarding |
| Art Unit               | To be assigned   |
| Examiner Name          | To be assigned   |
| Attorney Docket Number | 2003P10269WOUS   |

10/563806

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|------------------------|--------------------------|--|--------------------------------|--|---|
|                        |                          | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
|                        |                          | US-2003/0024502 A                          | 02-06-2003                     | Meta Motoren- und<br>Energie Technik GmbH          |   |
|                        |                          | US-6,637,405 B2                            | 10-28-2003                     | Meta Motoren- und<br>Energie-Technik GmbH          |   |
|                        |                          | US-4,392,632                               | 07-12-1983                     | Robert Bosch GmbH                                  |   |
|                        |                          | US-6,422,184 B1                            | 07-23-2002                     | Meta Motoren- und<br>Energie Technik GmbH          |   |
|                        |                          | US-  |                                |  |   |
|                        |                          | US-  |                                |  |   |
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**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document          | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|---|-----------------------------------|--|--|----------------|
|                       |                          | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                   |  |  |                |
|                       |                          | DE 101 37 828 A1  | 02-20-2003                        | Meta Motoren-<br>und<br>Energietechnik<br>GmbH                 |  |                |
|                       |                          | DE 37 39 494 A1   | 06-01-1989                        | Süddeutsche<br>Kühlerfabrik Julius<br>Fr. Behr GmbH &<br>Co KG |  | x              |
|                       |                          | DE 30 26 133 A1   | 02-18-1982                        | Robert Bosch<br>GmbH   |  |                |
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Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| Substitute for form 1449A/PTO   |   |    |   | <b>Complete if Known</b> |                  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    |   | Application Number       | To be assigned   |
|   |   |    |   | Filing Date              | To be assigned   |
|   |   |    |   | First Named Inventor     | Eugen Bernarding |
|   |   |    |   | Group Art Unit           | To be assigned   |
|   |   |    |   | Examiner Name            | To be assigned   |
| Sheet   | 2 | of | 2 | Attorney Docket Number   | 2003P10269WOUS   |

10/563306

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---|--------------------------|---|----------------|
| Examiner<br>Initials *                            | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   |                          | Derwent Abstract - DE10137828; 02/20/2003; Meta Motoren- und Energietechnik GmbH, 52134 Herzogenrath, GERMANY.  |                |
|   |                          | Derwent Abstract – DE3739494; 06/01/1989; Süddeutsche Kühlerfabrik Julius Fr. Behr GmbH & Co KG, 7000 Stuttgart, GERMANY.   |                |
|   |                          | Derwent Abstract – DE3026133; 02/18/1982; Robert Bosch GmbH, 7000 Stuttgart, GERMANY.   |                |
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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